

***Effective 5/12/2015***

***Superseded 5/10/2016***

**10-9a-802 Enforcement.**

(1)

- (a) A municipality or any adversely affected owner of real estate within the municipality in which violations of this chapter or ordinances enacted under the authority of this chapter occur or are about to occur may, in addition to other remedies provided by law, institute:
  - (i) injunctions, mandamus, abatement, or any other appropriate actions; or
  - (ii) proceedings to prevent, enjoin, abate, or remove the unlawful building, use, or act.
- (b) A municipality need only establish the violation to obtain the injunction.

(2)

- (a) A municipality may enforce the municipality's ordinance by withholding a building permit.
- (b) It is unlawful to erect, construct, reconstruct, alter, or change the use of any building or other structure within a municipality without approval of a building permit.
- (c) A municipality may not issue a building permit unless the plans of and for the proposed erection, construction, reconstruction, alteration, or use fully conform to all regulations then in effect.
- (d) A municipality may not deny an applicant a building permit because the applicant has not completed an infrastructure improvement:
  - (i) that is not essential to meet the requirements for the issuance of a building permit under the building code and fire code; and
  - (ii) for which the municipality has accepted an infrastructure improvement assurance for infrastructure improvements for the development.